

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)			
<div>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]</div> <div>on _____</div> <div>Signature _____</div> <div>Typed or printed name _____</div>	<div>Application Number</div> <div style="text-align: center;">10/709,844</div>	<div>Filed</div> <div style="text-align: center;">June 1, 2004</div>			
	<div>First Named Inventor</div> <div style="text-align: center;">Graham Balsdon</div>				
	<div>Art Unit</div> <div style="text-align: center;">2825</div>	<div>Examiner</div> <div style="text-align: center;">Naum B. Levin</div>			
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; vertical-align: top; padding-bottom: 10px;"><div><input type="checkbox"/> applicant/inventor.</div><div><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</div><div><input checked="" type="checkbox"/> attorney or agent of record. 39,626 Registration number _____</div><div><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</div></td><td style="width: 50%; vertical-align: top; padding-bottom: 10px; border-left: 1px solid black; padding-left: 10px;"><div style="text-align: right;">/Melvin D. Chan/</div><div style="text-align: center;">_____ Signature Melvin D. Chan _____ Typed or printed name 408-701-0035 _____ Telephone number July 19, 2007 _____ Date</div></td></tr></table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>				<div><input type="checkbox"/> applicant/inventor.</div> <div><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</div> <div><input checked="" type="checkbox"/> attorney or agent of record. 39,626 Registration number _____</div> <div><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</div>	<div style="text-align: right;">/Melvin D. Chan/</div> <div style="text-align: center;">_____ Signature Melvin D. Chan _____ Typed or printed name 408-701-0035 _____ Telephone number July 19, 2007 _____ Date</div>
<div><input type="checkbox"/> applicant/inventor.</div> <div><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</div> <div><input checked="" type="checkbox"/> attorney or agent of record. 39,626 Registration number _____</div> <div><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</div>	<div style="text-align: right;">/Melvin D. Chan/</div> <div style="text-align: center;">_____ Signature Melvin D. Chan _____ Typed or printed name 408-701-0035 _____ Telephone number July 19, 2007 _____ Date</div>				
<div><input type="checkbox"/> *Total of _____ forms are submitted.</div>					

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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United States Patent and Trademark Office

Application No.: 10/709,844
Confirmation No.: 3843
Customer No.: 51111
Docket No.: 21648-000700US

Commissioner for Patents
POB 1450
Alexandria, VA 22313-1450

Reasons for Preappeal Brief Review Request

Dear Commissioner:

Applicants request a preappeal brief conference review because the rejections of record are clearly based on factual error. One or more claim elements are clearly not presented in the cited references. Discussion is provided in the record, among other places, on pages 7–8 of the June 22, 2007 response and pages 7–8 of the January 3, 2007 response.

In brief, U.S. patent publication 20060080630 (Lin) does not provide "a shape-based automatic router tool" or "using flood operations." For example, the terms "shape-based," "flood," "flooding," and "flood operation" are not found in the reference. The examiner's contention that "the PG wiring analysis module 1007 increases the width of the wire or via" is somehow related to flooding operations (see page 9, final office action) has no technical merit.

All claims should be allowable.

Respectfully submitted,

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/Melvin D. Chan/

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
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